

REMARKS

Claims 32-40, 42, 43, 47-55, 57, 58, 61, 68-75, and 83 are pending in the application.

Claim 83 stands rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. Applicant requests reconsideration. It is unclear from the Office Action whether the Office takes issue with the term "about 17 random" not being identical to the term "17.16 random" described in Fig. 4, the range of values encompassed by using the term "at least," or both.

With regard to "about 17 random," Applicant asserts that the value of "17.16 random" supports "about 17 random." If the Office disagrees, then the Applicant would be willing to amend "about 17 random" to "17.16 random" upon request, but does not do so herein given the above described uncertainty.

If the Office instead or additionally alleges that the range of values encompassed by the term "at least" is not supported in the specification, then Applicant asserts that ample references exist in the present specification to substantially uniform texture, referring to a high level of uniformity for (100) cubic texture. Such description in the specification maybe considered to disclose higher multiples of random than 17.16 shown in Fig. 4. Page 11, lines 23-30 and elsewhere throughout the specification also imply that an increasing advantage exists in the aspects of the claimed inventions with increasing levels of uniformity. Accordingly, "at least about 17 random" merely quantifies one example of a high level of uniformity among (100) texture. The specification inherently supports higher levels of uniformity. At least for the reasons indicated herein, Applicant asserts that the present specification contains a proper

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description adequate to support claim 83. Applicant requests withdrawal of the written description requirement in the next Office Action.

Claims 32-40, 42, 43, 47-55, 57, 58, 61, 68-75 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Klose. Applicant requests reconsideration.

Claim 32 sets forth a tantalum disc including about 99.95 wt % tantalum and a substantially uniform {100} crystallographic orientation across a surface of the disc. Pages 3-5 of the Office Action allege that Klose discloses every limitation of claim 32 except for the specific shape being a disc and alleges that such shape is an obvious matter of choice. Applicant traverses.

Pursuant to MPEP 2141.01(a), Applicant asserts that Klose constitutes non-analogous art. That is, page 11, lines 23-30 of the present specification summarizes Applicant's field of endeavor and the particular problem with which the inventors were concerned as relating to sputtering targets and improvement in sputtering target performance, respectively. Page 4 of the Office Action alleges that the tantalum sheet of Klose can be used as a sputtering target. However, the Office Action does not identify any suggestion or motivation in the art for such a use or any technical reasoning supporting the allegation that the tantalum sheet of Klose is suitable as a sputtering target. Applicant notes that Klose is specifically directed to manufacture of spinnerets for the synthetic-fibers industry and that spinnerets do not necessarily lend themselves to suitability as sputtering targets. As known to those of ordinary skill, the process of sputtering removes matter from a target for deposition. A target manufactured with

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